

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)

)

Plaintiff,)

v.)

Civil Action No. CV-75-S-666-S

)

JEFFERSON COUNTY, *et al.*,)

)

Defendants.)

)

JOHN W. MARTIN, *et al.*,)

)

Plaintiffs,)

v.)

Civil Action No. CV-74-S-17-S

)

CITY OF BIRMINGHAM,)

ALABAMA, *et al.*,)

)

Defendants.)

)

ENSLEY BRANCH OF THE)

N.A.A.C.P., *et al.*,)

)

Plaintiffs,)

v.)

Civil Action No. CV-74-S-12-S

)

GEORGE SEIBELS, *et al.*,)

)

Defendants.)

)

**UNOPPOSED MOTION TO APPOINT INTERIM DIRECTOR OF THE
DEPARTMENT OF ROADS AND TRANSPORTATION FOR JEFFERSON
COUNTY**

Comes now the Defendant Jefferson County in the above styled cause and pursuant to the Court's First and Second Temporary Orders [Docs. 1780 and 1802] requests the Court's permission to fill the position of Interim Director of the County's Roads and Transportation Department. This position was identified in the Temporary Orders as a non-merit system (exempt executive) classification.

The County would like to fill the vacancy on a temporary basis with Ms. Tracy Pate. She is currently serving as the Chief Civil Engineer in the County's Roads and Transportation Department. Counsel for the County has consulted with opposing counsel and neither the Martin-Bryant Parties nor the United States Department of Justice have any objections to this interim appointment.

WHEREFORE, PREMISES CONSIDERED, the Defendant would request the Court to grant its motion to appoint Ms. Tracy Pate to the position of Interim Director of the Roads and Transportation Department for Jefferson County.

/s/ David M. Smith _____

David M. Smith

Edward A. "Ted" Hosp

Janell M. Ahnert

Thomas J. Butler

James L. ("Jay") Mitchell

Grace R. Murphy

Stephanie H. Mays

MAYNARD, COOPER AND GALE, P.C.

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s/ Theodore A. Lawson, II
Theodore A. Lawson, II
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Attorneys for Defendant Jefferson County

CERTIFICATE OF SERVICE

I certify that on this the 19th day of July, 2013, I have filed through the Court's CM-ECF system a copy of the foregoing Motion which should send an e-filing notice to Counsel for all of the parties in this matter.

s/ Grace R. Murphy
OF COUNSEL